

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

JOHN DOE,

Plaintiff,

v.

ROSS UNIVERSITY SCHOOL OF  
MEDICINE; ADTLEM CORPORATION,

Defendants.

No. 3:18-CV-411-CLC-DCP

**ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is John Doe's Motion for Leave to File Documents Under Seal [Doc. 12].<sup>1</sup> Specifically, Plaintiff requests that Exhibit 1 to the Complaint, a University Security Investigation Report, be filed under seal because it contains information on Plaintiff and other students that is protected under The Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232g; 34 C.F.R. part 99. Plaintiff states that under FERPA, a student has a right to control disclosure of his/her education record and that an "education record" is defined by FERPA to include disciplinary records, grades, and course schedules. Plaintiff asserts that Exhibit 1 to the Complaint contains this information on Plaintiff and other students. Plaintiff continues that a redacted version of Exhibit 1 is being filed in the normal process.

The Court has reviewed Exhibit 1 [Doc. 1-1] to the Complaint, and it does not include disciplinary records, grades, or course schedules. Further, the Court observes that "education

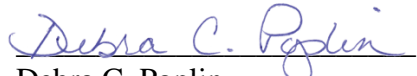
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<sup>1</sup> Plaintiff files his Motion pursuant to number of Federal Rules, but it is unclear how these Rules support Plaintiff's request (e.g., Rule 702 "Testimony by Expert Witness").

records” do not include “records maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement.” 20 U.S.C. § 1232g(a)(4)(B)(ii). Nevertheless, the Court notes that the District Judge has permitted Plaintiff to proceed under a pseudonym. [Doc. 14]. Because Plaintiff is proceeding under a pseudonym and the University Security Investigation Report contains identifying information, the Court will allow Exhibit 1 [Doc. 1-1] to be placed under seal. Accordingly, John Doe’s Motion for Leave to File Documents Under Seal [Doc. 12] is **GRANTED**. Plaintiff shall file an appropriately redacted version of [Doc. 1-1] on or before **November 12, 2018**.

**IT IS SO ORDERED.**

ENTER:

  
Debra C. Poplin  
United States Magistrate Judge